

1 ARASTO FARASAD (SBN: 273118)
2 NANCY WENG (SBN: 251215)
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5 San Jose, CA 95126
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7 Fax: 408-866-7334
8 Emails: farsadlaw1@gmail.com
9 nancy@farsadlaw.com

Attorney for Debtor

7 **UNITED STATES BANKRUPTCY COURT**
8 **NORTHERN DISTRICT OF CALIFORNIA**
9 **SAN JOSE DIVISION**

10 In re:) Case No. 23-50023 MEH
11 Y. ROGER YU,) Chapter 13
12) **NOTICE OF MOTION TO CONVERT**
13 Debtor.) **CASE FROM A CHAPTER 13 TO A**
14) **CHAPTER 11 AND OF OPPORTUNITY**
15) **TO REQUEST HEARING;**
16) **CERTIFICATE OF SERVICE**
17) JUDGE: HON. M. ELAINE HAMMOND

17 **TO THE HONORABLE JUDGE M. ELAINE HAMMOND, THE UNITED**
18 **STATES TRUSTEE'S OFFICE FOR THE NORTHERN DISTRICT OF CALIFORNIA,**
19 **THE CHAPTER 13 TRUSTEE, THE MOVANT, ALL OTHER PARTIES IN**
20 **INTEREST, AND THEIR RESPECTIVE COUNSEL(S) OF RECORD: PLEASE TAKE**
21 NOTICE that the Debtor has filed a Motion to Convert Case from a Chapter 13 to a Chapter 11
22 (Under 11 U.S.C. Sections 706(a) or 1112(a)) ("Motion") A copy of the Motion is filed
23 concurrently with this Notice.

24 PLEASE TAKE FURTHER NOTICE that, pursuant to B.L.R. 9014, you have fourteen
25 (14) days from the date of service of this Notice to object to this Motion.

26 Any such objection must be filed with the Clerk of the United States Bankruptcy Court
27 at 280 South 1st Street, Room 3035, San Jose CA 95113, and shall be served upon the Chapter
28 13 Trustee (Devin Derham Burk), the United States Trustee, and the Debtor's Attorney.

1 If an objection is timely made, the Debtor shall set the matter for hearing and give
2 notice of the date of the hearing to the objecting party, the Chapter 13 Trustee and the United
3 States Trustee.

4 If an objection is not timely made, the Court may enter an Order converting the case
5 from a Chapter 13 proceeding to a Chapter 11 proceeding.

6
7 Respectfully submitted,

8 Dated: February 15, 2023

9 FARSAD LAW OFFICE, P.C.

10 /s/ Arasto Farsad
11 Arasto Farsad, Esq.
12 Attorneys for Debtor
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CERTIFICATE OF SERVICE

I am at least 18 years of age and not a party to the within action; my business address is FARSAD LAW OFFICE, P.C., 1625 The Alameda, Suite 525, San Jose, CA 95126. On **February 15, 2023**, I served the interested parties (as indicated below) with the documents described as follows:

1. **NOTICE OF MOTION TO CONVERT CASE FROM A CHAPTER 13 TO A CHAPTER 11 and OPPORTUNITY TO REQUEST HEARING; PROOF OF SERVICE;**
2. **MOTION TO CONVERT CASE FROM A CHAPTER 13 TO A CHAPTER 11 (UNDER 11 U.S.C. Sections 706(a) or 1112(a)); and**
3. **DECLARATION OF ARASTO FARSAD, ESQ., IN SUPPORT OF MOTION TO CONVERT CASE FROM A CHAPTER 13 TO A CHAPTER 11 (UNDER 11 U.S.C. Sections 706(a) or 1112(a)).**

BY USPS FIRST CLASS MAIL: By placing true copies thereof enclosed in a sealed envelope with prepaid postage and addressed to all addressees on the attached **Court Creditor List / Matrix**.

BY NOTICE OF ELECTRONIC FILING: I also caused to be served the above-described documents by means of electronic transmission via the Notice of Electronic Filing through the Court's transmission facilities, to the following parties and/or counsel who are registered CM/ECF users. **All CM/ECF registered participants.**

I declare under penalty of perjury that the above statements are true and accurate.

Executed on **February 15, 2023**, at **San Jose**, California.

/s/ Arasto Farsad
Arasto Farsad

Label Matrix for local noticing
0971-5
Case 23-50023
California Northern Bankruptcy Court
San Jose
Wed Feb 15 07:08:41 PST 2023

CA Employment Development Dept.
Bankruptcy Group MIC 92E
P.O. Box 826880
Sacramento, CA 94280-0001

CA Franchise Tax Board
Attn: Special Procedures
P.O. Box 2952
Sacramento, CA 95812-2952

Devin Derham-Burk
P.O. Box 50013
San Jose, CA 95150-0013

Douglas Sykes
c/o Scheer Law Group, LLP
155 North Redwood Dr #100
San Rafael, CA 94903-1966

Arasto Farsad
Farsad Law Office, P.C.
1625 The Alameda, Suite 525
San Jose, CA 95126-2224

Franchise Tax Board
Bankruptcy Section MS A340
P.O. Box 2952
Sacramento, CA 95812-2952

Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101-7346

James Lee
P.O. Box 20224
Seattle, WA 98102-1224

Justin Lin
1053 E. Meadow Circle
Palo Alto, CA 94303

MCLP Asset Company, Inc. c/o
NewRez LLC dba Shellpoint Mortgage Servi
PO Box 10826
Greenville SC 29603-0826

Newrez LLC
1100 Virginia Dr Suite 125
Fort Washington, PA 19034-3235

Office of the U.S. Trustee / SJ
U.S. Federal Bldg.
280 S 1st St. #268
San Jose, CA 95113-3004

(p)PNC BANK RETAIL LENDING
P O BOX 94982
CLEVELAND OH 44101-4982

Shellpoint
PO Box 10826
Greenville, SC 29603-0826

(p)CALIFORNIA STATE BOARD OF EQUALIZATION
ACCOUNT REFERENCE GROUP MIC 29
P O BOX 942879
SACRAMENTO CA 94279-0029

Taylor Chen
1525 Miramonte Ave., #3082
Los Altos, CA 94024-9001

(p)U S ATTORNEY'S OFFICE NORTHERN DISTRICT
450 GOLDEN GATE AVENUE
9TH FLOOR
SAN FRANCISCO CA 94102-3419

Wei Wang
No. 3388 Zhoujiazui Rd., Bldg. 8
Shanghai, China

Reilly Wilkinson
Scheer Law Group
155 N Redwood Dr. #100
San Rafael, CA 94903-1966

Y. Roger Yu
115 College Ave
Mountain View, CA 94040-1512

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

PNC Bank
P.O. Box 1820
Dayton, OH 45401

State Board of Equalization
Attn: Special Procedures Section, MIC:55
P.O. Box 942879
Sacramento, CA 94279

U.S. Attorney
Civil Division
450 Golden Gate Ave.
San Francisco, CA 94102-3400

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Douglas G. Sykes

End of Label Matrix	
Mailable recipients	20
Bypassed recipients	1
Total	21